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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [PBTS](#) [RS](#) [GG](#)
SUBJECT: GEORGIA: TROUBLING HUMAN RIGHTS TRENDS IN ABKHAZIA

REF: A. TBILISI 1150
[1](#)B. TBILISI 322

Classified By: AMBASSADOR JOHN F TEFFT FOR REASONS 1.4 (b) and (d)

[1](#)1. (C) Summary. The departure of UNOMIG and arrival of Russian Border Guards have not yet caused a new exodus of ethnic Georgian Gali residents from Abkhazia, according to local observers. Conditions, however, have deteriorated, and the local population is more nervous than ever. Problems include difficulty crossing the administrative boundary line; unclear and shifting regulations on which documents allow movement across the boundary or are valid within Gali; property rights disputes; and unclear prospects for tracking the human rights incidents. The effects of limitations on freedom of movement are widening, encompassing health care (one woman needing medical attention was denied passage across the boundary and died as a result) and education (Georgian-language teachers may not be able to collect their salaries, and therefore may not be able to teach). As real estate becomes more valuable in Abkhazia, property rights are increasingly threatened, with various stratagems being used to lay claim to abandoned or desirable property. Russian citizens, possibly including some connected to the Moscow mayor's office, appear to be moving in as well. There is concern, even among local Abkhaz de facto representative, about growing Russian influence. End summary.

OPERATIONS OF HUMAN RIGHTS ORGANIZATIONS DIFFICULT

[1](#)2. (C) Ryszard Komenda, former UN human rights officer in Abkhazia (and Canadian citizen - please protect), and Guram Shonia, Director of the Gali Human Rights Center in Abkhazia (and Gali resident - please protect), recently offered their observations to poloffs in separate meetings. Shonia stated that the rights of the 50,000 ethnic Georgians who live in Gali have been &continuously violated since the war.⁸ In his opinion the presence of UNOMIG and UNHCR helped mitigate the violations, and questions linger about how those in Gali will be protected in the absence of those organizations. His own center, which serves as a clearing house for several other local NGOs, was supported by these organizations, and he thinks it will be very difficult to continue. He is worried that the period leading up to the Abkhaz "presidential" elections will be particularly difficult, given the lack of international organizations to help protect human rights. (Embassy note: UNHCR has submitted a proposal for funding to hire and station four "legal protection officers" in the Gali region, partly to replace the departing human rights officers who were connected with UNOMIG. End note.)

[1](#)3. (C) Despite the departure of UNOMIG, Komenda stated that he has not yet seen evidence of families leaving, but has been told by many in Gali that they will leave if the administrative boundary is fully sealed. He further stated that the possibility of a mass exodus of ethnic Georgians could be easily triggered, but the Abkhaz or Russians would be unlikely to trigger this on purpose, if for no other

reason than Abkhaz de facto "president" Bagapsh needs their votes, as this area delivered for Bagapsh in the last presidential election. Although they were not targeted recently, Komenda said that during his time in Abkhazia, there was at least one instance of UN human rights local staff being threatened. Komenda said that 2-3 years ago the Abkhaz military was forcing people to work "as slaves" picking hazelnuts. When UN staff went to investigate, they were threatened. Abkhaz de facto "foreign minister" Shamba said he would solve it, but the staff were told that "if the UN guy comes back, something will happen to him." Komenda speculated that this instance was one where organized crime was responsible for the threat, not the authorities. (Note: Reports of forced labor continue to circulate; see ref B. Although the incident cited occurred in the past, such intimidation of human rights organizations seems likely to continue, considering the decrease in international oversight. End note.)

BORDER CROSSING CONCERNS

14. (C) Komenda and Shonia both reported that the situation at the administrative boundary line is, in Shonia's words, &very intense.⁸ There is only one crossing left that is controlled by both Abkhaz and Russian border guards at the Enguri bridge, with Russian Border Guards strictly controlling all others. Komenda and Shonia said that people must pay the guards bribes in order to cross, but now even that is possible only at the Enguri Bridge, where Abkhaz forces still staff the crossing point. If you try to cross without the proper permits, especially at all the other Russian-controlled points, you will be arrested and charged

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with illegal border crossing. The bribes reportedly range from 200-1,000 rubles (7-33 dollars). Komenda commented that the Abkhaz border guards are often drunk, and that more reports of unhappy Abkhaz border guards with guns behaving badly under the influence could potentially trigger a mass panic or exodus. He said that, in comparison, the Russian border guards are more professional -- but this also means they are more strict about limiting movements. He noted that state security officials, criminals and militia all wear uniforms, so it's difficult to discern who is who.

15. (C) Both observers stressed that movement limitations impose significant hardship on the local ethnic Georgian population in Gali. Shonia noted that local residents rely on travel outside Abkhazia for education, health care, affordable food, and to collect pensions and visit family and friends; with the limitations, "living conditions are worsening day by day." Komenda said that in one case, a woman who tried to cross into Zugdidi for medical treatment was denied passage; she subsequently died because she could not get proper care in Gali. Komenda also described incidents in which minibuses have been stopped at the Administrative Boundary Line (ABL), passengers forced out of the vehicle, and documents checked. Poloff asked about reports that some such detainees have been conscripted into the Abkhaz military. Komenda said that young men detained were not expressly targeted for conscription, but that names of those detained were sometimes checked against existing lists of missing conscripts, and anyone whose name appeared could indeed be sent to the military.

16. (C) Komenda raised the issue of salary payments for teachers. On September 1, classes are scheduled to begin following the summer break. Historically, teachers in Gali have gotten their salaries by physically going to undisputed Georgia to collect them. The recent tightening of boundary crossing could prevent them from getting paid. Some women Komenda spoke to said they would consider sending their children to school in Kutaisi (in undisputed Georgia) if Georgian-language education was unavailable or insufficient, although it is not clear how they would cross the boundary

regularly.

UNCLEAR AND SHIFTING DOCUMENT REGIME

17. (C) Shonia said that there are basically two forms of identification accepted as legitimate in Abkhazia: the former Soviet passport and new Abkhaz "passport." (Note: Russian passports, which are available to residents of Abkhazia, seem to be difficult for Gali residents to acquire. End note.) According to Komenda those without Abkhaz "passports" are stopped at the ABLs and their names are checked against police records to see if they have any "hooks on them." This happens regardless of the person's ethnicity -- Mingrelian, Russian, or Abkhaz. The current Abkhaz de facto "president" wants Gali residents to have Abkhaz "passports" so that they can vote, presumably for him, in the upcoming elections. The opposition, however, has been holding rallies and demonstrations against Gali residents receiving Abkhaz "citizenship".

18. (C) Although many Gali residents do not want to be "citizens" of Abkhazia, Shonia explained that they do want to be able to live and work in Gali -- and in many cases, this requires possession of an Abkhaz "passport." Shonia expressed concern that, in an Abkhaz political compromise, locals will only be allowed to receive Abkhaz "passports" by Qlocals will only be allowed to receive Abkhaz "passports" by actually surrendering their Georgian ones. He said that already many locals hire an ethnic Abkhaz "front man" to perform administrative functions like registering a business. Although there is talk of developing a system for giving Gali residents some different form of legal status -- not Abkhaz "citizens," but some kind of "third-country nationals" inside Abkhazia -- so far it is only talk. He added that not only were Abkhaz "passports" required to function fully, but for some professionals, such as physicians, only Gali residents with a Russian, as opposed to a Georgian, diploma were allowed to work.

19. (C) Shonia said that there are 30 families in Gali who have last names of Abkhaz origin, but consider themselves ethnic Georgians (due to a long history in the region of mixed marriages). These 30 families were reportedly called into Sukhumi and told that they were not ethnic Georgians, but Abkhaz, and must have Abkhaz "passports" or leave the territory (they were not given a deadline). Despite the requirement, Shonia said that currently there is a huge backlog for the Abkhaz documents, even for residents outside of Gali.

PROPERTY RIGHTS

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110. (C) Komenda said interest in real estate in Abkhazia is growing, and the property rights of displaced or even currently resident ethnic Georgians, and other groups as well, is under increasing threat. He noted an Abkhaz law that stated that property holders who had not laid claim to their property for nine years after the 1993 Abkhaz war had lost their legal right to the property. Thus, as of 2002, any property unclaimed since the first war was potentially up for grabs. He reported the Abkhaz are compiling lists of abandoned residents and properties, beginning to seize some, and presumably preparing to seize far more. Komenda noted a disturbing new trend whereby Abkhaz or Russian developers raze buildings to the ground in order to rebuild and avoid property claims on the existing buildings. Many "abandoned" properties are being claimed by Abkhaz, and Komenda listed various methods used to lay claim and even get paper deeds: claiming residence since 1993, getting the neighbors to vouch for them, bribing the authorities, or accusing current residents of having fought against Abkhazia in 1992-93. He gave an example of an elderly woman who refused to move out, and to whom the authorities would not issue an Abkhaz passport. After a trip to Tbilisi she was refused reentry to

Abkhazia, and her property was seized. Although Georgians sometimes try to fight these cases in court, they always lose.

¶11. (C) Komenda added that such property seizures have also happened to ethnic Abkhaz, Armenians, and Russians. Ironically, Shamba has been getting letters from the Russian Ministry of Foreign Affairs about the cases of Russians who left after the 1992-1993 civil war, but who want restitution for their lost property, catching the Abkhaz in their own game. Shamba even complained about this directly to Komenda. Although he did not spend much time in northern Abkhazia, Komenda said that there is a lot of new construction near Gagra, and that the economic crisis does not seem to be slowing growth. He added that Turkish ships are arriving daily with building materials; he thinks that the Georgians are closing their eyes to this because of Turkish investment in Georgia. Komenda said that there is now a stiffer penalty for illegally obtaining an Abkhaz passport because this is required to purchase property in Abkhazia. After the December elections, however, Komenda thought it would become easier to buy property again.

RUSSIANS BUILDING MILITARY INFRASTRUCTURE

¶12. (C) Shonia estimated that the Russians are spending significant sums on bases and check points and are in the process of isolating Gali from the rest of Abkhazia, with the aim of using Gali as a buffer zone. He said that his organization would monitor these bases and checkpoints in Gali. Shonia reported that renovations of infrastructure in Gali have begun, in particular on the exterior of residential buildings; this was the first major project in Gali since the war. Shonia has heard that the buildings are slated to be used by Russian military families. Currently, the Russian military is living in tents. According to Shonia, the money for these projects is coming from Russia funneled through Abkhaz businessmen. He said that a delegation from the Moscow mayor's office had recently been in Gali investigating construction projects, and that there was some talk of Moscow being a "sister city" to Gali. The Russian security services Qbeing a "sister city" to Gali. The Russian security services even sent doctors to provide free medical exams for locals. The Abkhaz de facto "prime minister" is overseeing these projects himself since they are of great importance to the Russians.

¶13. (C) Shonia told us that his organization maintained secret contact with some de facto authorities who support Abkhaz independence and also want a good relationship with Georgia. He is concerned that growing Russian presence in the region will make it difficult for such moderate Abkhaz to pursue such a relationship.

COMMENT: TROUBLING SIGNS

¶14. (C) The reports of these two observers reinforce concerns expressed by other interlocutors (reftels). Regarding the security situation, they contrast somewhat with those reported in ref A, in which the arrival of Russian Border Guards seemed to have contributed to a slight increase in stability. With so few sources of solid information, it is not surprising to have a range of views on a constantly shifting situation, but Komenda and Shonia, whose professional focus for many years has been on the human rights situation, deserve serious consideration. They agree that, so far, the departure of UNOMIG and the arrival of the Russian Border Guards have not led to a feared mass exodus of the local population, but they also believe that such an

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exodus is possible. Shonia reported that, in general, the young people want to leave, because they see no future: "everything that is Georgian will be lost as the merging process proceeds."
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